

# United States Senate

WASHINGTON, DC 20510-4304

February 16, 2007

The Honorable Patrick Leahy  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Arlen Specter  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for a Judiciary Committee oversight hearing to consider the facts surrounding the recent prosecution of two U.S. Border Patrol agents in Texas, including the granting of immunity to a suspected drug smuggler. I also request that you broaden your hearing to include testimony from Department of Justice officials in regard to a separate incident that led to the prosecution of Deputy Sheriff Guillermo Hernandez of Rocksprings, Texas.

Last year our colleague, Senator Feinstein, asked the committee to look into the circumstances of the prosecution of agents Jose Alonso Compean and Ignacio Ramos for actions associated with the shooting of a suspect in February 2005 near the Fabens Point of Entry in South Texas. However, the committee did not take action prior to the end of the 109<sup>th</sup> Congress.

Since then, many Texans have raised a number of questions in regard to this matter and the subsequent investigation by the Department of Homeland Security. Further, another shooting incident, leading to the federal prosecution of Deputy Hernandez, has garnered national attention and has also produced among my constituents confusion about why the federal government decided to intervene in the local and state investigation and assert jurisdiction.

A Committee hearing will be a great help in providing the facts and circumstances of these cases to my constituents and the public at large. In particular, it would be useful to hear from Justice Department officials why immunity was granted to an individual who had apparently entered the country covertly, illegally and who, according to witnesses, had smuggled a large amount of illicit drugs into my state. At what cost to our nation's anti-drug efforts and border security initiatives was such testimony obtained?




Moreover, Agent Ramos has been assaulted by other inmates incarcerated at the correctional facility in which he is being held. It is shocking that prison authorities, knowing of the particular vulnerability of any law enforcement official held among the prison population, failed to prevent such an attack from taking place. Because the court denied bond, these agents must remain in prison while the appeal of their case is considered. Department of Justice officials must be queried about the reason for their failure to provide such basic protection.

Details of the case involving Deputy Sheriff Hernandez have not been forthcoming and a public hearing would give the public a greater understanding of why our government believed it necessary to prosecute a Texas County Deputy Sheriff for a shooting incident which occurred after a late night traffic stop of a vehicle containing what news reports have described as "eight or nine people," at least six of whom were said to have been entering the country illegally and who fled the scene after—according to the Deputy's testimony—attempting to run him over.

Thank you for your consideration of my request, as well as that of Senator Cornyn, to conduct a Judiciary Committee hearing into these two incidents. I encourage you to vigorously pursue the facts of these cases. Our law enforcement personnel and the public have the right to know exactly what is happening on our Southern border and how their government is responding.

Sincerely,



Kay Bailey Hutchison